

1 JOSEPH E. SHORIN III
ANDREW A. FITZ
2 MICHAEL L. DUNNING
Assistant Attorneys General
3 P.O. Box 40117
Olympia, WA 98504-0117
4 Phone: (360) 586-6770
Fax: (360) 586-6760
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6
7 **UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

8 STATE OF WASHINGTON,

9 Plaintiff,

10 v.

11 SPENCER ABRAHAM, Secretary
of Energy; and the UNITED
12 STATES DEPARTMENT OF
ENERGY,
13

Defendants.
14

NO. CT-03-5018-AAM

STIPULATION AND AGREED
SCHEDULING ORDER

15
16 **I. STIPULATION**

17 Comes now the parties State of Washington (State), and Spencer Abraham,
18 United States Secretary of Energy and United States Department of Energy
19 (DOE), by and through their undersigned attorneys, in agreement to the entry of
20 the following Stipulation and proposed Agreed Scheduling Order in order to
21 ensure an expedited and predictable schedule for presenting arguments to the
22 Court regarding the State's motion for a preliminary injunction:

1 1. DOE will immediately suspend all further shipments of transuranic
2 waste to the Hanford Nuclear Reservation in Eastern Washington for a period of
3 45 days from the date this Stipulation and Proposed Scheduling Order is signed;

4 2. The parties agree to the attached proposed Agreed Scheduling Order
5 for presenting arguments regarding the State's motion for a preliminary
6 injunction to the Court for approval. The United States reserves its right to seek
7 to consolidate the State's motion with consideration of a dispositive motion on
8 the merits. The State reserves the right to oppose any such motion by the United
9 States.

10 DATED this 5th Day of March 2003.

11 CHRISTINE O. GREGOIRE
12 Attorney General

 THOMAS L. SANSONETTI
 Assistant Attorney General

13 _____
14 JOSEPH E. SHORIN III, WSBA #19705
 Assistant Attorney General

15 Attorneys for Plaintiff
16 State of Washington
 (360) 586-6770

 CYNTHIA HUBER
 U.S. Department of Justice
 Environment and Natural Resources
 Division
 P.O. Box 663
 Washington, D.C. 20044-0663
 (202) 514-5273

17 _____
18 MICHAEL ZEVENBERGEN
 U.S. Department of Justice
 Environment and Natural Resources
 Division
 7600 Sand Point Way, NE
 Seattle, WA 98115
 (206) 526-6607

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WILLIAM BEATTY
Chief of Civil Division, Spokane
Office of the United States Attorney
Eastern District of Washington
(509) 353-2767

Attorneys for Defendants

II. AGREED SCHEDULING ORDER

IT IS HEREBY ORDERED:

The above Stipulation and the following schedule is hereby APPROVED:

1. Friday, March 7, 2003: State Motion for Preliminary Injunction Due
2. Wednesday, March 26, 2003: DOE Response Due
3. Friday, April 4, 2003: State Reply Due
4. Friday, April 18, 2003, 10:00 a.m., in Yakima, WA: Oral Argument

DATED this ____ day of September, 2004.

ALAN A. McDONALD
United States District Judge

Presented by:

CHRISTINE O. GREGOIRE
Attorney General

JOSEPH E. SHORIN III, WSBA #19705
Assistant Attorney General

Attorneys for Plaintiff
State of Washington
(360) 586-6770

Approved as to form;
Notice of Presentation Waived:

THOMAS SANSONETTI
Assistant Attorney General

CYNTHIA HUBER
U.S. Department of Justice
Environment and Natural Resources
Division
(202) 514-5273

MICHAEL ZEVENBERGEN
U.S. Department of Justice
Environment and Natural Resources
Division

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WILLIAM BEATTY
Chief of Civil Division, Spokane
Office of the United States Attorney
Eastern District of Washington
(509) 353-2767